

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:14cv250**

Pending before the Court is the Motion to Dismiss [#6]. Defendants move to dismiss the Complaint. On October 1, 2014, Plaintiff filed an Amended Complaint. The filing of an amended pleading supersedes the original pleading and renders it void of any legal function in the case. Young v. City of Mount Ranier, 238 F.3d 567, 572 (4th Cir. 2001). Accordingly, the Court **DENIES as moot** the Motion to Dismiss [# 6].

Signed: October 13, 2014

Dennis L. Howell